

05/12/05 THU 13:07 FAX 518 474 4188

PETITION FOR APPOINTMENT OF TRUSTEES TO  
AND REVIVAL OF CORPORATE CHARTER OF  
107th Infantry Regiment (Seventh New York) Historical Society

Under Section 226(4) of the Education Law

TO THE REGENTS OF THE UNIVERSITY OF THE STATE OF NEW YORK:

We, the undersigned, do hereby apply to the Regents of The University of the State of New York, pursuant to Section 226(4) of the Education Law, for appointment as trustees to 107th Infantry Regiment (Seventh New York) Historical Society and for the revival of the corporation's absolute charter, and do make, sign, and acknowledge the following statements:

1. The name of the corporation is 107th Infantry Regiment (Seventh New York) Historical Society
2. A n (absolute charter was granted to this corporation by the Board of Regents on Oct. 23, 1964 .
3. The purposes of the corporation were to  
(Refer to Article II of attached copy of the Corp. Constitution.  
There are no changes to the Constitution.)
4. The corporation has been inactive since July 5, 1979  
and no member of the last known board of trustees survives as such.

107th Infantry Regiment (Seventh New York) Historical Society The petitioners desire to be appointed by the Regents as trustees to for the purpose of reviving corporate operations as

\*We We fully recognize that in so doing, we accept full responsibility for the liabilities, assets, debts, and obligations of the original corporation. \*We are all Veterans in good standing of the 107th Infantry.

6. The names and mailing addresses of the petitioners are as follows:

(See Attached)

7. On 3/12/96 the petitioners unanimously voted to submit a petition to the Regents for appointment as trustees to 107th Infantry Regiment (Seventh New York) Historical Soc. and revival of the corporation's absolute charter. A resolution to that effect, certified by the secretary of the special meeting, is attached.

6. Names and mailing addresses of the petitioners:

- 1) Col. James W. Stewart, 6 Barker Drive, Stony Brook, N. Y. 11790
- 2) Mr. Kenyon B. FitzGerald, Jr., 20 LedgeWood Drive, Wilton, Conn. 06897
- 3) LTC Eugene A. Hegy, Jr., 150 West End Ave., New York, N. Y. 10023
- 4) Mr. Peter S. Wells, 449 East 78th St., New York, N. Y. 10021
- 5) CW4 Mauro C. Sardanopoli, 177 N. Little Tor Rd., New City, N. Y. 10956
- 6) Col. David L. Dalva II, 320 East 72nd St., New york, N. Y. 10021

IN WITNESS WHEREOF, we have made, signed, and acknowledged this application on this 22 day of March, 1996.

(signatures of all applicants) \* (AS APPEARS BELOW)

STATE OF NEW YORK )

SS.:

COUNTY OF NEW YORK )

On this 22nd day of March, 1996, before me came ~~the~~ following individuals, to me known to be the persons described in and executed the foregoing application, and they severally duly acknowledged to me that they executed the same.

(signature and stamp of notary public)

JOSEPHINE M. CARITA  
NOTARY PUBLIC, STATE OF NEW YORK  
No. 24-01 CA 4513652  
Qualified in Kings County  
Cort. Filed in New York County  
Commission Expires Nov. 30, 1997

\*(Signatures of all Applicants)

James W. Stewart  
Col. James W. Stewart

Kenyon B. Fitzgerald, Jr.  
Mr. Kenyon B. Fitzgerald, Jr.

Eugene A. Regy, Jr.  
LTC Eugene A. Regy, Jr.

Peter S. Wells  
Mr. Peter S. Wells

Mauro C. Sardanopolis  
CW4 Mauro C. Sardanopolis

David L. Dalva II  
Col. David L. Dalva II



107TH INFANTRY REGIMENT (SEVENTH NEW YORK) HISTORICAL SOCIETY  
Chartered by the Board of Regents of the University  
of the State of New York on October 23rd, 1964

## CONSTITUTION

### ARTICLE I

#### NAME

The name of this organization shall be the 107TH INFANTRY REGIMENT (SEVENTH NEW YORK) HISTORICAL SOCIETY.

### ARTICLE II

#### OBJECTS & PURPOSES

The objects and purposes of this Historical Society shall be, in effect, to set up a Regimental Headquarters organization under the concept of the Combat Arms Regimental System and within the provisions of the absolute charter granted by the Board of Regents of the University of New York for and on behalf of the State Education Department, on the 23rd of October, 1964, to wit:

1. An absolute charter is granted incorporating George A. Brazill, L. Emory Boyden, Walter A. Capitain, Joseph A. Cox, P. Randolph Harris, George F. Johnston, Kenneth C. Miller and Leslie M. Stewart, and their associated and successors as an educational corporation under the corporate name of 107TH INFANTRY REGIMENT (SEVENTH NEW YORK) HISTORICAL SOCIETY, to be located in the City, County and State of New York.
2. The purposes for which such corporation is to be formed are:
  - a. To collect, receive and preserve books, papers, documents, diaries, letters, records, citations, battle streamers, flags, honors, medals, decorations and other memorabilia pertaining to the Seventh Regiment, New York National Guard;
  - b. To maintain a museum and library for the care and custody thereof;
  - c. To assist in maintaining the historical continuity of this distinguished Regiment, regardless of changes in tactical organization in peace and war;
  - d. To provide an opportunity for the individual soldier to become familiar with the history and traditions of the of the Seventh Regiment;
  - e. To maintain records of members of the said Regiment and;
  - f. To direct or conduct research into the history of the Seventh Regiment, and to publish the results of such research.



3. George K. Brazill, L. Emory Boyden, Walter A. Capitain, Joseph A. Cox, Steven A. Dunne, P. Randolph Harris, George F. Johnston, Kenneth C. Miller and Leslie M. Stewart, shall constitute the first Board of Trustees. The board shall have power to adopt by-laws, including therein provisions fixing the method of election and the term of office of trustees, and shall have power also, by vote of two-thirds of all the members of the Board of Trustees, to change the number of trustees, to be not more than 25 nor less than 5.

4. The corporation hereby created shall be a non-stock corporation organized and operated exclusively for educational purposes, and no part of its earnings or net income shall inure to the benefit of any individual, and no officer, member, or employee of the corporation shall receive or be entitled to receive any pecuniary profit from the operations thereof, except, reasonable compensation for service.

5. The principal office of the corporation is to be located in the City, County and State of New York.

6. The Commissioner of Education is designated as the representative of the corporation upon whose process in any action or proceeding against it may be served.

Granted October 23, 1964 by the Board of Regents of the University of New York, for and on behalf of the State Education Department. #8746.

### ARTICLE III

#### MEMBERSHIP

Section 1. The membership of this Historical Society shall consist of two classes: regular members and honorary members.

Section 2. All members are entitled to attend and be heard at the annual meetings of this organization but shall not have the right to vote.

Section 3. Total membership in this Historical Society shall be limited to 100.

### ARTICLE IV

#### DUES

The dues of this Historical Society shall be such amount, if any, as may be fixed by the Trustees after at least one month's notice to all members.

### ARTICLE V

#### ORGANIZATION

Section 1. The Governing Body of this Historical Society shall be the Board of Trustees which shall consist of not less than 5 and not more than 25 members.

Section 2. The Officers shall consist of President (Colonel, Commandant), Vice President (Lieutenant Colonel, Deputy Commandant), Secretary (Major, Adjutant), Assistant Historian (Major, Intelligence), Historian (Major, Operations), Property Officer (Major, Supply), and Treasurer (Major, Finance Officer).

ARTICLE VI

MEETINGS

Section 1: The Annual Meetings of all members shall be held on any Thursday in April at time and place as determined by the Board of Trustees

Section 2: Meetings of the Board of Trustees may be held at any time and place as determined by the President, (Commandant), or upon the request of three (3) Trustees.

Section 3: At all meetings of the Board of Trustees five (5) members shall constitute a quorum.

Section 4: Written notice of the time and place of all meetings shall be mailed or directed to each person entitled to receive same, at least ten (10) days in advance of the meetings.

ARTICLE VII

AMENDMENTS

This Constitution and By-Laws may be amended by resolution of the Board of Trustees. Proposed amendments must be submitted in writing to each Trustee at least thirty (30) days in advance of the next meeting of The Board of Trustees. A vote of two-thirds of the entire Board of Trustees shall be required for adoption of the amendment proposed.

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107TH INFANTRY REGIMENT (SEVENTH NEW YORK) HISTORICAL SOCIETY  
Chartered by the Board of Regents of the University  
of the State of New York on October 23rd, 1964

BY-LAWS

ARTICLE I

MEMBERSHIP

- Section 1: The Board of Trustees shall invite such veterans of the 7th Regiment or its successor organization as in their discretion they deem to be qualified to become members of this Historical Society.
- Section 2: Any person who, in the judgment of the Board of Trustees, may be of assistance to this Historical Society shall be eligible for invitation as an honorary member.

ARTICLE II

ORGANIZATION

- Section 1: The Board of Trustees shall have the power to fill any vacancies in their number however occurring and to elect any additional Trustees who may in their opinion be needed from among regular members.
- Section 2: The term of office for a Trustee shall be life unless terminated by resignation or expulsion. A three-quarters vote of all Trustees is required for expulsion.
- Section 3: The Officers of the organization shall be elected by the Board of Trustees from among the existing Trustees.
- Section 4: The term of office for the Officers shall be three (3) years or their successors are duly elected and installed in office. All officers are eligible for reelection but may not hold office for more than two (2) terms. Any vacancy occurring in any office shall be filled as soon as practical by the Board of Trustees.

ARTICLE III

DUTIES OF OFFICERS

- Section 1: President The President (Colonel, Commandant) shall preside at all meetings of the Historical Society and at all meetings of the Board of Trustees. He shall be an ex-officio member of all Committees without vote. He shall perform normal to such an office and shall perform such other duties as may be delegated upon him by the Board of Trustees.
- Section 2: Vice President The Vice President (Lieutenant Colonel, Deputy Commandant) shall perform those duties of the President as are immediately called for in the absence of the President. He shall perform those duties normal to such an office.



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Secretary (Major, Adjutant) shall have the custody of the corporate seal. He shall keep minutes of all meetings of the Historical Society and of all meetings of the Board of Trustees. He shall notify all persons of their election as members and as Trustees. He shall under the direction of the President, issue all notices, have the custody of all letters and communications of the Historical Society and conduct the general correspondence. He shall keep a list of the names and addresses of all members of the Society.

Section 4: Assistant Historian The Assistant Historian (Major, Intelligence) shall assist the Historian in all of his duties.

Section 5: Historian The Historian (Major, Operations) shall, under the direction of the President, have the custody of all the lineage, honors and historical data of the Regiment. He shall keep a running record of all events and shall continue a history of the Regiment from 1922. He shall set forth and continue the record of the established traditions and customs of the Regiment for future use.

Section 6: Property Officer The Property Officer (Major, Supply) shall, under the direction of the President, have the custody of records of any tangible honors and all property of the Historical Society. He may receive all property, real or personal, contributed to this Society. Such property shall be accumulated or disposed of at the discretion of two thirds of the Board of Trustees not inconsistent with the purpose of this Society.

Section 7: Treasurer The Treasurer (Major, Finance Officer) shall, under the direction of the President, have the custody of all funds of the Historical Society whether acquired by donations or from dues, if any; he shall keep regular books and accounts thereof which shall at all times be open to the examination of the Board of Trustees and subject to their control. He shall pay only such bills as have been approved by the Board of Trustees and shall sign all checks in conjunction with the President. At the annual meeting of the Board of Trustees he shall report in writing the financial of this Society.

#### ARTICLE IV

##### ORDER OF BUSINESS

At all meetings of this Historical Society whether general or the Trustees the provisions of Roberts Rules of Order shall prevail.

Absolute Charter issued October 23, 1964 by The University of the State of New York Education Department - Signed by James E. Allen, Jr. President of the University and Commissioner of Education.

*Adopted October 23, 1964*

107th INFANTRY REGIMENT (SEVENTH NEW YORK) HISTORICAL SOCIETY,

Voted, That

1. An absolute charter is granted incorporating George K. Brazill, L. Emory Boyden, Walter A. Capitain, Joseph A. Cox, P. Randolph Harris, George F. Johnston, Kenneth C. Miller and Leslie M. Stewart, and their associates and successors as an educational corporation under the corporate name of 107th Infantry Regiment (Seventh New York) Historical Society, to be located in the city, county and State of New York.

2. The purposes for which such corporation is to be formed are:

a. To collect, receive and preserve books, papers, documents, diaries, letters, records, citations, battle streamers, flags, honors, medals, decorations and other memorabilia pertaining to the Seventh Regiment, New York National Guard;

b. To maintain a museum and library for the care and custody thereof;

c. To assist in maintaining the historical continuity of this distinguished Regiment, regardless of changes in tactical organization in peace and war;

d. To provide an opportunity for the individual soldier to become familiar with the history and traditions of the Seventh Regiment;

e. To maintain records of members of the said Regiment; and

f. To direct or conduct research into the history of the Seventh Regiment, and to publish the results of such research.

3. George K. Brazill, L. Emory Boyden, Walter A. Capitain, Joseph A. Cox, Steven A. Dunne, P. Randolph Harris, George F. Johnston, Kenneth C. Miller and Leslie M. Stewart, shall constitute the first board of trustees. The board shall have power to adopt bylaws, including therein provisions fixing the method of election and the term

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of office of trustees, and shall have power also, by vote of two-thirds of all the members of the board of trustees, to change the number of trustees, to be not more than 25 nor less than 5.

4. The corporation hereby created shall be a nonstock corporation organized and operated exclusively for educational purposes, and no part of its earnings or net income shall inure to the benefit of any individual, and no officer, member, or employee of the corporation shall receive or be entitled to receive any pecuniary profit from the operations thereof, except reasonable compensation for services.

5. The principal office of the corporation is to be located in the city, county and State of New York.

6. The Commissioner of Education is designated as the representative of the corporation upon whom process in any action or proceeding against it may be served.